IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Bail Appl..No. 6918 of 2007()

CRIME NO. 96/07 OF ENATHU POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.6233/2007 Dated 22/10/2007

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APPLICANT/ACCUSED NO.3:

SHANAVAS, S/O.SHAMSUDEEN RAWTHER,
SHYLALAYAM, MANNADI THAZHATHU MURI, MANNADI,
KADAMPANADU VILLAGE, ADOOR TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, REPRESENTING THE S.I. OF POLICE
ENATHU POLICE STATION.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6918 of 2007

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Dated this the 14th day of November, 2007

O R D E R

Application for regular bail. The petitioner is the third accused. He faces allegations under the Kerala Abkari Act. He, along with the co-accused, had allegedly kept in his possession and transported 2310 litres of spirit. His earlier application for regular bail was dismissed by this Court as per order dt.22.10.07 in B.A. 6233 of 2007. The petitioner continues in custody from 14.9.2007. He was permitted to be released from 29.9.07 to 3.10.2007 to facilitate his appearance in an examination. Investigation is not complete. Final report has not been filed yet.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given the full compliment of 60 days to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 19.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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